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October 28, 2003

Corbin Davis, Clerk, and Justices of the Michigan Supreme Court:

I write in support of the proposed amendment to MRE 404, either option. As an officer in the Prosecuting Attorneys Association of Michigan and chairman of the PAAM Family Court Committee I have become acutely aware of the frustration experienced by prosecutors across the state when seeking justice in domestic violence cases. The trier of fact, be it judge or jury, hears limited testimony about an incident without hearing the full context and factual background. When this occurs the complainant appears less credible and the incident less significant. The frequent result is that justice is denied.

Prosecutors struggle daily with their duty and desire to assist and protect victims of domestic violence, who often face the threat of continuing and escalating violence. Much of this struggle is due to the unique difficulties of proof in these cases. The proposed amendment will significantly lessen these difficulties. I urge the adoption of the proposed amendment.

Ronald J. Frantz,
Ottawa County Prosecuting Attorney,
Vice-President of the Prosecuting Attorneys Association of Michigan.